

**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 193

On the status of the name *Procheneosaurus*
Matthew, 1920 (Class Reptilia, Order Orni-
thischia)

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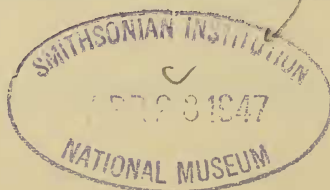
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OPINION 193.

ON THE STATUS OF THE NAME *PROCHENEOSAURUS* MATTHEW, 1920 (CLASS REPTILIA, ORDER ORNITHISCHIA).

SUMMARY.—The name *Procheneosaurus* Matthew, 1920 (Class Reptilia, Order Ornithischia) is available under the *Règles*, since it satisfies the requirements of Article 25 of the *Règles Internationales* as respects names published prior to 1st January 1931. Matthew included in this genus a single (then unnamed) species, which Lull & Wright (1942) have identified under *Opinion 46* as *Tetragonosaurus praeceps* Parks, 1931. That species is accordingly the type of *Procheneosaurus* Matthew, 1920, by monotypy. The name *Procheneosaurus* Matthew, 1920, as defined above, is hereby added to the *Official List of Generic Names in Zoology* as Name No. 624. The name *Tetragonosaurus* Parks, 1931, is not available as from the date of its publication in 1931, since, as then published, it does not satisfy the requirements of Article 25 of the Code as respects names published on or after 1st January 1931.

I.—THE STATEMENT OF THE CASE.

This case was submitted to the International Commission on Zoological Nomenclature by Dr. Richard S. Lull, Director, Peabody Museum of Natural History, Yale University, in the following letter dated 4th October 1935 :—

A group of trachodont dinosaurs, known as cheneosaurs from the Belly River and Edmonton formations of Alberta and the Two Medicine formation of Montana.

First described by L. M. Lambe in 1917 (*Ottawa Naturalist* 30 (10) : 127–133, 2 plates) as *Cheneosaurus tolmanensis* from the Edmonton Formation, Red Deer River, Alberta. The holotype consists of a nearly perfect skull, no. 2246 G.S.C., including some skeleton material; paratype no. 2247 G.S.C., a second skull, less perfect, of what is evidently an adolescent individual of the same species.

Beth description and types are in every way adequate to define the generic characters in so far as they may be seen in the skull alone.

In 1920 W. D. Matthew proposed the name *Procheneosaurus* for a cheneosaur from the Belly River formation of Alberta; but his definition, published in *Natural History* 20 (5) : 542, is very brief and consists of the following words : “ A small kind with little bill and short round head. A fine skeleton on exhibition in the American Museum.”

Even that brief description would enable one conversant with the Belly

River trachodonts to separate the animal from any other genus of these dinosaurs, and the specimen which is catalogued as *Procheneosaurus*, no. 5340 in the American Museum, is remarkably perfect and can form a basis for a complete description, not only of the skull but of the entire skeleton. In other words, there is no question whatever of what Dr. Matthew had in mind and of the identity both of the genus and of the very adequate type. He gave the form no specific name.

In 1931 Dr. W. A. Parks gave a new generic name *Tetragonosaurus* (*Univ. of Toronto Studies* (Geol. Ser.) 31 : 1-11, pls. 1-3) to Belly River cheneosaurs, which cannot be distinguished generically from Matthew's *Procheneosaurus*, on the ground that Matthew's description was inadequate and therefore his name had no standing. The type material is again adequate, consisting of two skulls and other skeletal material, no. 3577 at Royal Ontario Museum and no. 3578 at R.O.M. These were designated as the holotypes of *Tetragonosaurus praeceps* and *T. erectofrons* respectively, the former being in all probability not only congeneric but conspecific with Matthew's type specimen.

Of the validity of Lambe's *Cheneosaurus* there can be no question. The point I wish to lay before the Commission for decision is whether Parks' *Tetragonosaurus* with its adequate description should stand as the name of the Belly River genus of cheneosaurs, or whether Matthew's name of *Procheneosaurus*, which has priority of publication, should hold.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

2. In June 1936 copies of the application in this case were communicated to the Members of the Commission by Dr. C. W. Stiles, at that time Acting Secretary to the Commission, together with a note in which Dr. Stiles set out the conclusions which he had reached, after, jointly with Dr. C. W. Gilmore, Curator, Division of Vertebrate Palaeontology, United States National Museum, he had examined the papers referred to in the application. In this note Dr. Stiles expressed the view that the type of *Procheneosaurus* Matthew was the sole species referred to it by Matthew, namely the unnamed species to which Specimen No. 5340 in the American Museum was referable. Dr. Stiles then continued as follows :—

The generic diagnosis of *Procheneosaurus* Matthew is very brief, but according to the premises, "there is no question whatever of what Dr. Matthew had in mind and of the identity both of the genus and of the very adequate type." Accordingly, *Procheneosaurus* Matthew is available under the rules unless this name is preoccupied as a homonym.¹

3. Dr. Stiles accordingly invited the Commission to render an *Opinion* stating that the name *Procheneosaurus* Matthew, 1920, was available under the rules.

4. As a result, eight (8) Commissioners at that time recorded their votes on this case.

¹ It has been verified that the name *Procheneosaurus* Matthew, 1920, is not a homonym of any previously published generic name.

5. The following seven (7) Commissioners voted in favour of the Commission rendering an *Opinion* in the sense proposed :—

Chapman; Esaki; Fantham; Peters; Silvestri; Stiles; and Stone.

6. One (1) Commissioner (Commissioner Richter) voted against this proposal. In doing so, he submitted the following statement of his views :—

Der Opinion wird *nicht* zugestimmt. Das Verfahren, ein Individuum *nur mit dem Gattungsnamen* zu bezeichnen entspricht weder den Grundsätzen der heutigen Systematik noch denen der binären Nomenklatur. Wie das Individuum die Grundlage für den Artbegriff darstellt, so ist die Art (und nicht das Individuum) in jedem Fall die Grundlage für den Gattungsbegriff. *Gattungen ohne Arten* kann es in unserm System nicht geben; Gattungs-Namen für Arten, die nicht aufgestellt oder nicht vorhanden sind, sind daher zu verwerfen.

Aus diesem Grunde ist auch Opinion 46 z.T. als verfehlt zu betrachten.

Ausserdem gibt es noch einen *andern* Grund, weshalb ein Gattungsnamen Ohne einen Art-Namen keine Gültigkeit hat : Zur Kennzeichnung einer Gattung ist die Bestimmung einer typischen Art erforderlich. Nach Artikel 30IIe dürfen Arten, die " bei der ursprünglichen Veröffentlichung der Gattung nicht in den Gattungsnamen eingeschlossen wurden," als Gattungs-Typen nicht in Betracht kommen. Einen Gattungsnamen, bei dessen Aufstellung (wie bei *Procheneosaurus*) überhaupt noch keine Arten bekannt waren, (und daher auch in den Gattungsnamen nicht eingeschlossen werden konnten) *fehlt also die eigentliche Gattungs-Kennzeichnung*, der Typus. Solche Gattungsnamen sind daher als *nomina nuda* zu behandeln ; sie können erst von dem Augenblick an einen nomenklatorischen Status haben, in dem sie durch eine oder mehrere Arten gekennzeichnet werden.

7. At this stage this case was put on one side, since clearly in any *Opinion* which the Commission might render thereon, it was essential they should indicate what species was the type of the genus *Procheneosaurus* Matthew, 1920.² The identity of that species had been clearly established by Matthew, but the species so identified was at that time either unnamed, or if the species had been named, the name so given had not been identified with specimen no. 5340 in the American Museum of Natural History.

8. This case was further considered in 1943, when Commissioner Francis Hemming, Secretary to the Commission, wrote a further letter (dated 2nd October, 1943) to Dr. Lull with the object of clearing up outstanding points and so of preparing the way for the issue by the Commission of an *Opinion* on this case. The

² In view of the clear indication given by Dr. Matthew, the procedure laid down in *Opinion* 46 is not applicable in this case, for the type species of this genus is clearly recognisable from the original description. The only question which was in doubt was the name of that species.

following is an extract of the relevant portions of the letter referred to above :—

The point involved is this : A generic name, to be valid, must, if published after 31st December 1930,³ be accompanied both by an adequate diagnosis or a reference to such a diagnosis (or more extended description or reference thereto) and by an unambiguously designated type species. As the name *Procheneosaurus* was published by Matthew before that date, these stricter rules do not apply; but even a name published before the amendment of the Code referred to above, cannot be regarded as effective for ordinary purposes until a type possessing a name under the Linnean system has been designated for the genus. According to the data supplied in your letter Matthew clearly indicated that the name *Procheneosaurus* which he then proposed was intended to be the generic name for the unnamed species of which there was " a fine skeleton on exhibition in the American Museum." This is, you further state, the specimen " which is catalogued as *Procheneosaurus*, no. 5340 in the American Museum."

What I shall be grateful if you will inform me is whether any author has yet published a binominal specific name for the species, of which specimen 5340 in the American Museum is an example. If so, what is that name, who gave it, and when and where was it published?

The reason why the Commission needs to be in possession of this information is, of course, that, if there is a named species which (by monotypy) is the type of *Procheneosaurus* Matthew, then it is possible to compare the nomenclatorial status of that genus (and to form a conclusion thereon) in relation to the later genus *Tetragonosaurus* Parks, 1931.

As regards the last-named genus, I note that it was based upon two skulls and other skeletal material, to which two names (*T. praeceps* and *T. erectofrons*) were given by Parks. I shall be grateful if you will inform me

³ At its meeting held at Budapest in 1927 the Tenth International Congress of Zoology decided considerably to stiffen up the provisions in Article 25 of the International Code of Zoological Nomenclature regarding the conditions with which a new generic name must comply before it can acquire any status under the Law of Priority. In order, however, to provide zoologists with ample opportunity of acquainting themselves with the new provisions in Article 25, the International Congress at the same time decided that those provisions should not become operative until midnight (Greenwich Mean Time) 31st December 1930/1st January 1931. The changes decided upon at Budapest were effected by the insertion of a new proviso (proviso (c)) in Article 25, which provided, *inter alia*, that no generic name published after 31st December 1930 should have any status of availability (hence also of validity), unless and until it is published with a " definite and unambiguous designation of the type species." Names published before the above date remained, however, subject to the provisions of Article 25, as they existed prior to the adoption of the Budapest amendment, that is to say, names published before 1st January 1931 are not automatically invalidated by reason of having been published without a " definite and unambiguous designation of the type species." In determining whether a generic name published without a designated type is an available name, it is, therefore, now necessary first to ascertain whether the name in question was published on or before 31st December 1930 or whether it was published on or after 1st January 1931.

For full particulars relating to the amendment to Article 25 of the International Code adopted at Budapest in 1927 (including the text of that Article so amended), see NOTE 3 to *Opinion 1* (1944, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature 1 : 76-78*).

whether Parks designated one or other of these species as *the type* of the genus *Tetragonosaurus*, and, if so, which. If he did not do so, the name *Tetragonosaurus*, being a name published after 31st December 1930,⁴ is invalid, quite apart from any decision which may be taken by the International Commission as regards the status of *Procheneosaurus* Matthew.

9. On 4th November 1943, Dr. Lull replied as follows:—

Matthew's description of *Procheneosaurus*, such as it is, refers to the genus only as no species was either named or described. However, he clearly indicated a type specimen (No. AMNH 5340) which is recognizable without question and ample for description.

In 1931 Parks described two species under *Tetragonosaurus*, *praeceps* and *erectofrons*, and, while he designated neither as the genotype in so many words, he heads his description of *praeceps*, "*Tetragonosaurus praeceps* gen. et sp. nov.," and for that of *erectofrons*, "*Tetragonosaurus erectofrons* sp. nov."

Lull and Wright (1942, *Geol. Soc. Amer.*, Special Papers 40:178) identified Matthew's type of *Procheneosaurus* No. AMNH 5340 as pertaining to Parks' first species and called it *Procheneosaurus praeceps* (Parks), which they designated as the genotype.

10. The information so received showed:—

- (a) that *Tetragonosaurus praeceps* Parks, 1931, was the type of *Procheneosaurus* Matthew, 1920, having been so designated by Lull and Wright in 1942;
- (b) that, when describing the genus *Tetragonosaurus* Parks, 1931, Parks had described two new species as belonging to this genus and that he had headed the description of the first of these species as follows: "*Tetragonosaurus praeceps* gen. et sp. nov.;"
- (c) that, as the use of the formula quoted in (b) above complies with the requirements of *Opinion 7*, the type of *Tetragonosaurus* Parks, 1931, would have been *Tetragonosaurus praeceps* Parks, 1931, if the name *Tetragonosaurus* Parks had been published in the period which ended on 31st December 1930, the last day of the period of grace preceding the coming into operation of the amendment to Article 25 of the International Code, adopted by the Tenth International Congress of Zoology at its meeting held at Budapest in September 1927;⁵ but
- (d) that, in view of the fact that Parks did not give a "definite unambiguous designation of the type species" of the genus *Tetragonosaurus* Parks, as required by the amendment to Article 25 of the Code, which came into operation as from midnight 31st December 1930/1st January 1931 (Greenwich time),⁵ the generic name *Tetragonosaurus* has no status

⁴ See footnote 3.

⁵ See footnote 3.

under the Law of Priority (Article 25) and therefore no status of availability or validity) as from the date of its publication by Parks in 1931.

11. On receipt of this information, two (2) additional Commissioners (Commissioners Jordan and Hemming) voted in favour of the adoption of the proposed *Opinion*. This case, together with the information summarised in paragraph 10 above, was thereupon brought to the attention of all the available Commissioners who had not as yet voted thereon.

12. By 29th January 1944, the number of votes required by the By-Laws of the Commission (Article 7) to secure the adoption of a proposed *Opinion* (10 votes) ⁶ had been received in favour of the *Opinion* proposed to be rendered in the present case. At that time, however, there were still two (2) Commissioners who were resident in countries accessible by post but who had not as yet recorded their votes in regard to this case. In view of the great delays which at that time often occurred in the receipt of letters from abroad, the Secretary to the Commission decided that it would be proper to afford to the two Commissioners concerned a further opportunity to vote on this case. He accordingly directed that the closing of the ballot on this case should be deferred for a further period of six months (*i.e.* until 29th July 1944) or until votes had been received from each of the Commissioners concerned, whichever date might be the earlier. On 7th June 1944, the vote was received from the second of the two Commissioners concerned, and on that day, therefore, the Secretary to the Commission, acting in virtue of the powers conferred upon him in that behalf by Article 7 of the By-Laws, closed the ballot in this case.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE.

13. The decision taken by the International Commission on Zoological Nomenclature in the present case is :—

- (1) The type of *Procheneosaurus* Matthew, 1920 (*Nat. Hist.* 20 (5) : 542) (Class Reptilia, Order Ornithischia) is *Tetra-*

⁶ Since this case did not involve the use of the Commission's plenary powers, it does not require a unanimous vote, and ten affirmative votes suffice to secure the adoption of the proposed decision as the *Opinion* of the Commission.

gonosaurus praeceps Parks, 1931 (*Univ. Toronto Stud.* (Geol. Ser.) 31 : 1-11 pl. 1-3), that species having been identified by Lull & Wright (1942, *Geol. Soc. Amer.*, Special Papers 40 : 178) as the species on which Matthew founded the monotypical genus *Procheneosaurus* Matthew, 1920, *i.e.* the species to which is referable specimen No. 5340 in the American Museum of Natural History.

(2) In view of the fact that the name *Procheneosaurus* Matthew was published before 1st January 1931 (the date as from which became operative the requirements of proviso (c) added to Article 25 of the International Code by the Tenth International Congress of Zoology at Budapest in 1927), this name is not invalidated by reason either of :—

(a) the scanty nature of the "indication" given for this genus by Matthew in his original description; or of

(b) the absence in the original description of a "definite unambiguous designation of the type species."

(3) The name *Procheneosaurus* Matthew, 1920 (type: *Tetragonosaurus praeceps* Parks, 1931) is therefore available nomenclatorially and is hereby added to the *Official List of Generic Names in Zoology*.

(4) The name *Tetragonosaurus* Parks, 1931 (*Univ. Toronto Stud.* (Geol. Ser.) 31 : 4) is not available nomenclatorially as from 1931, since, being published without a "definite unambiguous designation of the type species," it does not satisfy the requirements of Article 25 of the Code as respects names published on or after 1st January 1931.

14. The following twelve (12) Commissioners voted in favour of the present *Opinion* :—

do Amaral; Calman; Chapman; Dymond; Esaki; Fantham; Hemming; Jordan; Peters; Silvestri; Stiles; and Stone.

15. One (1) Commissioner (Commissioner Richter) voted against the present *Opinion*.

16. The following two (2) Commissioners did not vote on the present *Opinion* :—

Cabrera; and Pellegrin.

17. In addition one (1) Commissioner (Commissioner Bolivar y Peltain), who was a member of the Commission when the ballot on this case was opened, resigned his membership of the Com-

170 OPINIONS AND DECLARATIONS RENDERED BY THE INTERNATIONAL mission without having voted on the present case, and another such Commissioner (Commissioner Stejneger) died without having voted thereon. The following four (4) Commissioners, namely Commissioners Arndt, di Caporiacco, von Hankó, and Jaczewski, were elected members of the Commission during the later stages of the ballot on this case and did not take part in its consideration.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provide that, except in cases involving the suspension of the *Règles*, an *Opinion* is to be deemed to have been adopted by the said International Commission as soon as a majority of the Members of the Commission, that is to say ten (10) Members of the said Commission, have recorded their votes in favour thereof, provided that, where any proposed *Opinion* involves a reversal of any former *Opinion* rendered by the Commission, such proposed *Opinion* shall obtain the concurrence of at least fourteen (14) Members of the Commission voting on the same before such *Opinion* is to be deemed to have been adopted by the Commission; and

WHEREAS the present *Opinion*, as set out in the summary thereof, neither requires, in order to be valid, the suspension of the *Règles*, nor involves a reversal of any former *Opinion* rendered by the Commission; and

WHEREAS twelve (12) Members of the Commission have signified their concurrence in the present *Opinion* :

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Ninety Three (*Opinion* 193) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this eighteenth day of April, Nineteen Hundred and Forty Five, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING